

APPENDIX  
AMENDMENTS TO THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently amended): An immunogenically active component useful for preventing or ameliorating equine protozoal myoencephalitis infection or disease which comprises merozoite antibody-inducing chemically-inactivated *Sarcocystis neurona* cells, ~~tachyzoite antibody-inducing inactivated *Neospora hughesi* cells, a merozoite antibody-inducing antigen derived from said *Sarcocystis neurona* cells, a tachyzoite antibody inducing antigen derived from said *Neospora hughesi* cells, plasmid DNA obtained from a horse diagnosed to have equine protozoal myoencephalitis that is derived from *Sarcocystis neurona* or *Neospora hughesi*, or a mixture thereof.~~

Claim 2 (Canceled).

Claim 3 (Canceled).

Claim 4 (Currently amended): The component according to claim 1 wherein said active component ~~comprising merozoite antibody inducing, inactivated *Sarcocystis neurona* cells, tachyzoite antibody inducing inactivated *Neospora hughesi* cells or the mixture of the inactivated *Sarcocystis neurona* cells and the inactivated *Neospora hughesi* cells~~ is present in sufficient quantity to provide at least  $1 \times 10^4$  inactivated cells per dosage unit form.

Claim 5 (Previously presented): A vaccine composition for the prevention or amelioration of equine protozoal myoencephalitis infection or disease in equines which comprises a therapeutically effective amount of the immunogenically active component of claim 1, a pharmacologically acceptable carrier and optionally an immunogenically stimulating adjuvant.

Claim 6 (Currently amended): The vaccine composition according to claim 5 wherein said active component ~~comprising merozoite antibody inducing, inactivated *Sarcocystis neurona*~~

~~cells, tachyzoite antibody inducing inactivated *Neospora hughesi* cells or the mixture of the inactivated *Sarcocystis neurona* cells and the inactivated *Neospora hughesi* cells is present in sufficient quantity to provide at least  $1 \times 10^4$  inactivated cells per dosage unit form.~~

Claim 7 (Currently amended): The vaccine composition according to claim 5 wherein said active component ~~comprising merozoite antibody inducing, inactivated *Sarcocystis neurona* cells, tachyzoite antibody inducing inactivated *Neospora hughesi* cells or the mixture of the inactivated *Sarcocystis neurona* cells and the inactivated *Neospora hughesi* cells is present in sufficient quantity to provide at least  $1 \times 10^6$  inactivated cells per dosage unit form.~~

Claim 8 (Currently amended): The vaccine composition of claim 5 wherein said active component ~~comprising merozoite antibody inducing inactivated *Sarcocystis neurona* cells, the antigen derived from said cells, the plasmid DNA obtained from the horse diagnosed to have equine protozoal myoencephalitis derived from said cells or the mixture thereof is present in an amount sufficient to produce a merozoite inducing serum neutralizing antibody response which has a neutralizing effect on *Sarcocystis neurona* merozoites.~~

Claim 9 (Canceled).

Claim 10 (Previously presented): The vaccine composition according to claim 5 wherein the immunogenically stimulating adjuvant is present at about 1% to 50% by weight.

Claim 11 (Previously presented): The vaccine composition according to claim 10 wherein said adjuvant is present at about 5% to 20% by weight.

Claim 12 (Canceled).

Claim 13 (Original): The vaccine composition according to claim 12 wherein said adjuvant is a metabolizable oil.

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Claim 14 (Original): The vaccine composition according to claim 13 wherein the pharmacologically acceptable carrier is a balanced salt solution.

Claims 15-17 (Canceled).

Claim 18 (Withdrawn - Previously presented): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine the immunogenically active component of claim 1.

Claim 19 (Withdrawn - Previously presented): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine a therapeutically effective amount of the vaccine composition of claim 5.

Claim 20 (Canceled).

Claim 21 (Withdrawn - Previously presented): The method according to claim 19 wherein said vaccine is administered parenterally.

Claim 22 (Withdrawn - Previously presented): The method according to claim 19 wherein said vaccine is administered intramuscularly.

Claims 23-25 (Canceled).

Please insert new Claims 26-29:

Claim 26 (New): An immunogenically active component useful for preventing or ameliorating equine protozoal myoencephalitis infection or disease which comprises a merozoite antibody-inducing antigen derived from the *Sarcocystis neurona* isolate designated SNg, having ATCC Accession No. PTA-2972.

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Claim 27 (New): A vaccine composition for the prevention or amelioration of equine protozoal myoencephalitis infection or disease in equines which comprises a therapeutically effective amount of the immunogenically active component of claim 26, a pharmacologically acceptable carrier and optionally an immunogenically stimulating adjuvant.

Claim 28 (New): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine the immunogenically active component of claim 26.

Claim 29 (New): A method for the prevention or amelioration of equine protozoal myoencephalitis disease in equines which comprises administering to said equine a therapeutically effective amount of the vaccine composition of claim 27.